

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

STANLEY F. FARR

V.

J. VAILLAN and JIM NICHOLSON

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1:07-CV-700

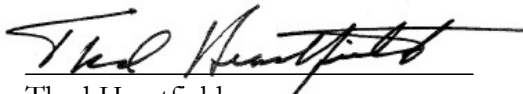
**ORDER ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

The court referred this matter to the Honorable Earl S. Hines, United States magistrate judge, for pretrial proceedings pursuant to General Order 05-07. The court has received and considered the report of the United States magistrate judge, who recommends that the court dismiss plaintiff's case without prejudice for lack of subject matter jurisdiction and for failure to state a claim. No objections to the report and recommendation have been filed. Further, the court's independent review confirms that the magistrate judge's analysis is correct.

The magistrate judge's report is hereby **ADOPTED**. The purpose of the referral having been served, it is further

ORDERED that the reference to the magistrate judge is **VACATED**.

SIGNED this the **3** day of **October, 2008**.



Thad Heartfield
United States District Judge